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 NATIONWIDE MUTUAL INSURANCE COMPANY,
 erroneously sued herein as "AMCO INSURANCE COMPANY"

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

SWI-CO CONSTRUCTION, INC., a California Corporation, SWI-CO CONSTRUCTION, a California partnership and JOE SWICEGOOD,) Case No. C 10-3122 PJH
Plaintiffs,) STIPULATION Re: EXTENSION OF DISCOVERY AND OTHER DEADLINES; [PROPOSED] ORDER
v.)
AMCO INSURANCE COMPANY, and DOES 1-20, inclusive,)
Defendants.) Complaint Filed: June 21, 2010 Trial Date: March 12, 2012

STIPULATION

Plaintiffs SWI-CO CONSTRUCTION, INC., a California Corporation, SWI-CO CONSTRUCTION, a California partnership and JOE SWICEGOOD ("Plaintiffs") and Defendant Nationwide Mutual Insurance Company ("Nationwide"), by and through their respective attorneys, stipulate and agree as follows:

WHEREAS, the Court has presently under submission Nationwide's motion for summary judgment, or in the alternative, partial summary judgment ("the pending motion"); and

WHEREAS, the Court, in its Case Management and Pretrial Order the Court set September 9, 2011 as the cut-off date for non-expert and expert discovery; and

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1 WHEREAS, the Parties wish to avoid the expenditure of time and costs necessary to
2 accomplish certain discovery that may not be necessary depending on the Court's ruling on the
3 pending motion,

4 THEREFORE, the Parties stipulate and agree as follows:

- 5 1. That the non-expert and expert discovery cut-off date be extended to 30 days after
6 the Court issues its ruling on the pending motion; however, that cut-off date will
7 not be extended beyond October 31, 2011; and
- 8 2. That the date for the Parties to disclose experts pursuant to Federal Rules of Civil
9 Procedure, Rule 26(a)(2)(D)(ii), be extended to 15 days after the Court issues its
10 ruling on the pending motion; however, such disclosure must be made no later than
11 October 17, 2011.

12 IT IS SO STIPULATED.

13
14 Dated: August 22, 2011

Respectfully submitted,

15 THE McLENNON LAW CORPORATION

16
17 By /s/ Marc L. Sherman

Daniel F. McLennon

Marc L. Sherman

Attorneys for Plaintiffs

18 SWI-CO CONSTRUCTION, INC., a California
19 Corporation, SWI-CO CONSTRUCTION, a
20 California partnership and JOE SWICEGOOD

21
22 Dated: August 22, 2011

Respectfully submitted,

23 LEWIS BRISBOIS BISGAARD & SMITH LLP

24
25 By /s/ Stephen J. Liberatore

Julian J. Pardini

Stephen J. Liberatore

Attorneys for Defendant

26 NATIONWIDE MUTUAL INSURANCE COMPANY,
27 erroneously sued herein as
28 "AMCO INSURANCE COMPANY"

ORDER

Having considered the Parties' stipulation set forth above,

THE COURT HEREBY ORDERS AND DECREES that the non-expert and expert discovery cut-off date be, and hereby is, **EXTENDED** to 30 days after the Court issues its ruling on Nationwide's motion for summary judgment, or in the alternative, partial summary judgment; however, that cut-off date will not be extended beyond October 31, 2011. Further, **THE COURT HEREBY ORDERS AND DECREES** that the date for the Parties to disclose experts pursuant to Federal Rules of Civil Procedure, Rule 26(a)(2)(D)(ii), be, and hereby is, **EXTENDED** to 15 days after the Court issues its ruling on the pending motion; however, such disclosure must be made no later than October 17, 2011.

It is so ordered.

Dated: August 23, 2011

